



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION IX
75 Hawthorne Street
San Francisco, CA 94105-3901

ENFORCEMENT AND
COMPLIANCE ASSURANCE
DIVISION

VIA ELECTRONIC MAIL.
RETURN RECEIPT REQUESTED

IN THE MATTER OF: SA Recycling

2411 N. Glassell Street
Orange, CA 92865
ETorrealba@sarecycling.com

ATTENTION: Elio Torrealba, Director, Air Quality Compliance

Request for Information Under § 114(a) of the Clean Air Act, 42 U.S.C. § 7414(a)

The United States Environmental Protection Agency ("EPA") is issuing this information request to determine the compliance status of SA Recycling ("SA Recycling"). EPA is requesting information to determine compliance of the Clean Air Act, 42 U.S.C. §§ 7401-7671q ("CAA" or "the Act"), including requirements of 40 C.F.R. Part 71 and the federally-approved and federally-enforceable regulations in the State Implementation Plans for the States of Arizona, California, and Nevada.

Under Section 114(a) of the CAA, the Administrator of EPA may require any person who is subject to the CAA to provide information necessary to determine whether the person has acted in compliance with regulations promulgated under the CAA. The Administrator has delegated this authority to the undersigned Manager of Region 9's Air Enforcement Office, Enforcement and Compliance Assurance Division.

SA Recycling is hereby required to provide EPA with information, including by conducting emissions testing at its facility located at 3640 South 35th Avenue, Phoenix, Arizona. SA Recycling must submit testing information, including a test protocol and completed testing data according the schedules contained in Appendix D. SA Recycling must also provide the information requested in Appendix C according to the schedule in that appendix for several of its facilities. In responding to this request, SA Recycling shall use the instructions provided in Appendix A and provide the certification in Appendix B.

If SA Recycling anticipates that it will not be able to respond fully to this request within the time period specified, SA Recycling must submit a sworn declaration by a responsible corporate

official within fifteen (15) calendar days after receipt of this information request specifying what information will be provided by the allotted deadline, describing the efforts that have been or are being undertaken to obtain the remaining other responsive information, and providing a detailed schedule of when such other responsive information will be provided. Upon receipt and based upon such declaration, EPA may extend the time in which to respond to this information request.

EPA acknowledges that the COVID-19 pandemic may be impacting your business. If that is the case, we will consider your specific circumstances in determining an appropriate timeline for responding to this request for information, while still ensuring that the Agency receives the information it needs to timely confirm your company's compliance with the CAA and the federally-approved and federally-enforceable regulations in the State Implementation Plans for the States of Arizona, California, and Nevada.

If SA Recycling seeks to withhold any document(s) based on a claim of attorney-client communications privilege or the attorney work product doctrine in its response to this information request, SA Recycling shall provide with its response a privilege log for each document containing the following information: (i) the date, author(s), every individual to whom the document was originally sent, every individual who subsequently acquired the document, the purpose for which the document was sent to or obtained by those individuals, and the employment titles of the authors and recipients; (ii) the subject matter of the document; (iii) the privilege claimed for the document and all facts supporting the claim of privilege; (iv) the primary purpose(s), including the business purposes, for which the document was made; (v) the question(s) in this information request to which the document is responsive; and (vi) all facts contained in the document that are responsive to a question in this information request.

The responsive information shall be accompanied by a cover letter sent via certified mail or email with return receipt requested to the following address:

Scott Connolly (ENF-2-1)
Air Enforcement Office
Enforcement and Compliance Assurance Division
U.S. Environmental Protection Agency
75 Hawthorne Street
San Francisco, CA 94105
connolly.scott@epa.gov

Please be advised that under Section 113(a) of the Act, 42 U.S.C. § 7413(a), failure to provide the information and documents required by this letter may result in an order requiring compliance, an order assessing an administrative penalty, or a civil action for appropriate relief. Section 113(b) of the Act, 42 U.S.C. § 7413(b), provides for the assessment of a civil penalty, which has been adjusted for inflation to not more than \$101,493 per day, for each violation of the Act. See 40 C.F.R. § 19.4 (for violations that occurred after November 2, 2015, where penalties are assessed on or after January 13, 2020). In addition, Section 113(c) of the Act, 42 U.S.C. § 7413(c), provides criminal penalties for knowingly making any false material statement in, or omitting material information from, any report required under the Act.

You must submit all requested information under an authorized signature with the following certification (provided in Appendix B):

I certify under penalty of law that I have examined and am familiar with the information in the enclosed documents, including all attachments. Based on my inquiry of those individuals with primary responsibility for obtaining the information, I certify that the statements and information are, to the best of my knowledge and belief, true and complete. I am aware that there are significant penalties for knowingly submitting false statements and information, including the possibility of fines or imprisonment pursuant to Section 113(c)(2) of the Clean Air Act, 42 U.S.C. § 7413(c)(2), and 18 U.S.C. §§ 1001 and 1341.

You may assert a confidential business information (“CBI”) claim on behalf of SA Recycling covering part or all of the information provided to EPA in response to this letter. Any such CBI claim must conform to the requirements set forth in 40 C.F.R. Part 2, particularly 40 C.F.R. § 2.203, and contain supporting documentary evidence. See also 41 Fed. Reg. 36,902, 36,907 (Sep. 1, 1976). In addition, any such claim must be substantiated in accordance with 40 C.F.R. § 2.204(e)(4).

Specify by page, paragraph and sentence when identifying information from a document where you make a CBI claim. Where your claim does not include all information on a page, please attach a copy of each such page with brackets around the text you claim to be CBI. If a page, document, or group or class of documents claimed by you to be CBI contains a significant amount of information which our Regional Counsel determines is not CBI, your CBI claim regarding that page, document, or group or class of documents may be denied.

You are advised that certain information may be made available to the public pursuant to Section 114(c) of the Act, 42 U.S.C. § 7414(c), and 40 C.F.R. § 2.301, notwithstanding a claim that such information is entitled to confidential treatment. Please note that emission data provided pursuant to Section 114 of the Act, 42 U.S.C. § 7414, is not entitled to confidential treatment under 40 C.F.R. Part 2, Subpart B. Emission data is defined at 40 C.F.R. § 2.301(a)(2). If no claim of confidentiality is received with your reply, the information may be made available to the public without notice to SA Recycling.

This information request is not subject to review by the Office of Management and Budget under the Paperwork Reduction Act because it is not the “collection of information” within the meaning of 44 U.S.C §§ 3502(3) and 3518(c)(1), since it is being issued during the conduct of an investigation involving the EPA against specific individuals or entities. See also 5 C.F.R. § 1320.4.

Any questions concerning this Information Request should be directed to Scott Connolly at (415) 947-4141 or connolly.scott@epa.gov or have your attorney contact Denise Leong in the Office of Regional Counsel at (415) 972-3409 or leong.denise@epa.gov.

ROSHNI

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Roshni Brahmbhatt, Manager
Air Enforcement Office
Enforcement and Compliance Assurance
Division
EPA Region 9 – San Francisco

Enclosures

cc: Hanna Valenzuela, Maricopa County Air Quality Department
Shibi Paul, Clark County Department of Environment and Sustainability
Rupesh Patel, Pima County Department of Environmental Quality
Todd Sax, California Air Resources Board
Jake Felton, San Joaquin Valley Air Pollution Control District
Terrence Mann, South Coast Air Quality Management District

Appendix A

Instructions

1. Provide all responsive documents in Portable Document Format (PDF) or similar format, unless otherwise requested in specific questions. If the PDFs are scanned images, perform at least Optical Character Recognition (OCR) for “image over text” to allow the document to be searchable. Submitters providing secured PDFs should also provide unsecured versions for EPA use in repurposing text.
2. When specific questions request data in electronic spreadsheet form, provide the data and corresponding information in editable Excel format, and not in image format. If Excel formats are not available, then the format should allow for data to be used in calculations by a standard spreadsheet program such as Excel.
3. Provide electronic submissions on physical media such as compact disk, flash drive or other similar item. Alternatively, electronic submissions can be provided via email or commonly available file sharing software.
4. Provide a table of contents for each compact disk or flash drive containing electronic documents submitted in response to our request so that each document can be accurately identified in relation to your response to a specific question. *We recommend the use of electronic file folders organized by question number.* In addition, each compact disk or flash drive should be labeled appropriately (e.g., Company Name, Disk 1 of 4 for Information Request Response, Date of Response).
5. Documents claimed as confidential business information (CBI) must be submitted on separate disks/drives apart from the non-confidential information. This will facilitate appropriate records management and appropriate handling and protection of the CBI.
6. Certify that the attached files have been scanned for viruses and indicate what program was used.
7. If you have no information or documents responsive to a request, please so state in your response.
8. Where documents or information necessary for a response are neither in your possession nor available to you, indicate in your response why such documents or information is not available or in your possession and identify any source that either possesses or is likely to possess such information.
9. To the extent that a document is responsive to more than one request, please so state and provide only one copy of the document.
10. All terms used in this information request have their ordinary meaning unless such terms are defined in the CAA, 42 U.S.C. §§ 7401 *et seq.*

Appendix B

Statement of Certification

You are submitting the enclosed documents in response to the U.S. Environmental Protection Agency's ("EPA") Information Request, issued pursuant to Section 114(a) of the Clean Air Act, to determine compliance with the Clean Air Act and its affiliated regulations.

I certify that I am fully authorized by _____ [corporate affiliation] to provide the above information on its behalf to EPA.

I certify under penalty of law that I have examined and am familiar with the information in the enclosed documents, including all attachments. Based on my inquiry of those individuals with primary responsibility for obtaining the information, I certify that the statements and information are, to the best of my knowledge and belief, true and complete. I am aware that there are significant penalties for knowingly submitting false statements and information, including the possibility of fines or imprisonment pursuant to Section 113(c)(2) of the Clean Air Act, 42 U.S.C. § 7413(c)(2), and 18 U.S.C. §§ 1001 and 1341.

Date: _____

Name (Printed): _____

Signature: _____

Title: _____

Appendix C

Information You Are Required to Submit to EPA: Permits and Operations Data

SA Recycling must submit the following information about its facilities, pursuant to Section 114(a) of the CAA, 42 U.S.C. § 7414(a) within ninety (90) days of receipt of this request. SA Recycling must provide the following information about each of the facilities listed below;

- 3250 East Frontera Street, Anaheim, CA 92806 (Anaheim Facility)
 - 2000 East Brundage Lane, Bakersfield, CA 93307 (Bakersfield Facility)
 - 3640 South 35th Avenue, Phoenix, Arizona 85009 (Phoenix Facility)
 - 1525 West Miracle Mile, Tucson, Arizona 85705 (Tucson Facility)
 - 5840 North Nellis Blvd, Las Vegas, Nevada 89115 (Las Vegas Facility)
1. Provide all construction permits, operating permits and permit applications submitted, received or in use since July 1, 2010.
 2. Provide copies of all findings or notices of violations or of noncompliance, all notices or orders to comply (including, but not limited to, orders of abatement), and all complaints (administrative or civil) that a local air agency, State, or EPA issued to SA Recycling for alleged violations or alleged noncompliance with local, State, or federal air laws, regulations, rules, permits, or orders that occurred at the Facility from January 1, 2015 to the date of this request
 3. Provide descriptions and work orders for all capacity improvement projects conducted at the facility on equipment connected to the hammermill shredder, including improvements, process changes or debottlenecking since January 1, 2010.
 4. Provide diagrams and/or schematics detailing the air flow through the shredder air system. Include diagrams of the current configuration and configurations used since January 1, 2010, if any.
 5. Provide copies of all annual air emissions reports prepared for internal use or submitted to any regulatory agency, including but not limited to Maricopa County Air Quality Department, Arizona Department of Environmental Quality, Nevada Division of Environmental Protection, Clark County Department of Air Quality, South Coast Air Quality Management District, the San Joaquin Valley Air Resources Board, the California Air Resources Board or EPA, from January 1, 2015 to the present. Supplement this response with a 2019 and 2020 annual air emissions reports when available.
 6. Provide copies of all emission calculations prepared by SA Recycling, facility staff or outside consultants, used to determine facility air emissions. Include all equations, emissions factors and process inputs and note origin of each emission factor.

7. Provide in Microsoft Excel compatible format monthly records of shredder throughput (tons/month) from January 1, 2015 to the date of this request. Separate throughput by total tons, light iron (ferrous), and non-ferrous, include amount of ELVs shredded, in tons. Specify if records are recorded in net tons, gross tons or metric tons.
8. Provide shredder operating hours per day for each day from January 1, 2015 to the date of this request. If no operations were conducted, state why there were no operations.
9. Provide facility documents discussing volatile organic compound (VOC) emissions from any shredder at a facility listed above since January 1, 2010. Include emissions calculations, applicability studies and written and electronic correspondence.
10. Provide copies of the scrap acceptance agreement used at the facility at the time of the inspection and include any previous versions used at the facility since January 1, 2015.

Appendix D

Information You Are Required to Submit to EPA: Emissions Testing

SA Recycling must respond to this information request by performing testing at its facility located at 3640 South 35th Avenue, Phoenix, Arizona (“Facility”) pursuant to Section 114(a) of the CAA, 42 U.S.C. § 7414(a). SA Recycling must submit a test plan, conduct testing, and submit all other information requested in accordance with the schedule specified below:

Submit testing Protocol(s)	Not less than 60 days before testing
Notification of Intent to Test	Not less than 21 days before testing
Complete testing	Within 180 days of receipt of this request
Submit Testing Report	Within 30 days of completion of testing

1. Within one-hundred and eighty (180) calendar days after receipt of this request, SA Recycling must perform emission testing at the Facility to determine:
 - a. The total gaseous organic compound emission rate as volatile organic compounds (VOC) of the hammermill shredder using EPA Reference Methods 1-4 and Method 25A;
 - b. Volatile organic hazardous air pollutant emission rates using EPA Reference Methods 1-4 and 18. Methane and ethane concentrations may also be determined using EPA Reference Methods 1-4 and 18;
 - c. Particulate Matter emission rate using EPA Reference Methods 1-4 and Method 5; and
 - d. Metals emission rates of the hammermill shredder using EPA Reference Methods 1-4 and Method 29.
2. During the testing conducted pursuant to Item 1, SA Recycling shall monitor and record the operating parameters of the shredder, including metal feed rate, water flow rates, shredder amperage and autos and non-auto material shredded per run.
3. During all testing conducted pursuant to Item 1, SA Recycling shall operate under representative conditions and operate its hammermill shredder at greater than 90% of maximum production capacity and shall utilize end-of-life-vehicles (ELV) to light iron and other recyclable metal ratio of 1:1 (50% ELVs – 50% scrap).
4. During all testing conducted pursuant to Item 1, SA Recycling shall operate its hammermill shredder and emissions capture and collection system in a way that no visible emissions from the shredder system are allowed to be emitted to the atmosphere, without first passing through the measurement equipment and the downstream exhaust stack.

5. During all testing conducted pursuant to Item 1, SA Recycling shall conduct the testing under a protocol approved, in advance, by EPA. SA Recycling shall submit the protocol via e-mail to connolly.scott@epa.gov. EPA will provide approval or comments on the testing protocol via e-mail.
6. Not less than sixty (60) calendar days prior to the planned test(s), SA Recycling shall submit to EPA the proposed testing protocol, for EPA approval, that completely describes the methods and procedures for testing at each unit, including all relevant operating parameters, including, but not limited to:
 - a. the flow rate of the air system, in standard cubic feet per minute (scfm);
 - b. shall state what procedures will be utilized to minimize unmeasured emissions;
 - c. the measures SA Recycling will use to verify that emissions are not escaping the capture system; and
 - d. the scrap feed measurement procedures, including measurement of the percent of ELV shred.
7. At least twenty-one (21) calendar days prior to the planned test(s), SA Recycling shall submit notification to EPA of its intent to perform emission testing. SA Recycling shall submit this notice via e-mail to connolly.scott@epa.gov.
8. Within thirty (30) calendar days after the completion of the test(s), SA Recycling shall submit a complete report of the emissions testing for EPA acceptance, including, at minimum, the following:
 - a. Summary of Results
 - i. results of the above-specified emission test(s);
 - ii. process and control equipment data recorded during the test(s);
 - iii. discussion of any errors that occurred during testing;
 - iv. discussion of any deviations from the reference test methods or other problems encountered during the test; and
 - v. data on production rate during testing.
 - b. Facility Operations
 - i. description of the process and control equipment in operation during the test(s);
 - ii. operating parameters of any control equipment in operation during the test(s); and
 - iii. facility operating parameters and data, including an explanation of how the operating parameters demonstrate that the process units were operating at greater than 95% production capacity at the time of the test.
 - c. Sampling and Analytical Procedures
 - i. sampling port location(s) and dimensions of cross-section;
 - ii. sampling point description, including labeling system;

- iii. brief description of sampling procedures, including equipment and diagram;
- iv. description of sampling procedures (planned or accidental) that deviated from any standard method;
- v. brief description of analytical procedures, including calibration;
- vi. description of analytical procedures (planned or accidental that deviated from any standard method; and
- vii. quality control/quality assurance procedures, tests, and results.

d. Appendix

- i. complete results with example calculations;
- ii. raw field data;
- iii. laboratory report, with signed chain-of-custody forms;
- iv. calibration procedures and results;
- v. raw process and equipment data, signed by a plant representative;
- vi. test log(s); and
- vii. project participants and titles.